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18 Attorneys for Defendant  
19 MICROSOFT CORPORATION

20 UNITED STATES DISTRICT COURT

21 NORTHERN DISTRICT OF CALIFORNIA  
22 (OAKLAND DIVISION)

23 HANK SPACONE, on behalf of and as Trustee  
24 for the General Unsecured Creditors' Liquidating  
25 Trust of At Home Corporation, and on behalf of  
and in the name of the At Home Liquidating  
Trust of At Home Corporation,

26 Plaintiff,  
27 v.

28 MICROSOFT CORPORATION,

Defendant/Counterclaim Plaintiff,  
v.

HANK SPACONE, on behalf of and as Trustee  
for the General Unsecured Creditors' Liquidating  
Trust of At Home Corporation, and on behalf of  
and in the name of the At Home Liquidating  
Trust of At Home Corporation and JACQUELYN  
CRAWFORD, as Trustee for the At Home  
Liquidating Trust of At Home Corporation,

Counterclaim Defendants.

Civil Action No. C 03 4739 (CW)

**DECLARATION OF W. BRUCE CROFT  
IN SUPPORT OF MICROSOFT'S  
OPPOSITION TO SPACONE'S MOTION  
TO STRIKE INADMISSIBLE EVIDENCE  
OFFERED BY MICROSOFT IN  
OPPOSITION TO SPACONE'S MOTION  
FOR PARTIAL SUMMARY JUDGMENT  
AND IN SUPPORT OF MICROSOFT'S  
MOTION FOR SUMMARY JUDGMENT  
[CORRECTED]**

Date: January 13, 2006  
Time: 10:00 a.m.  
Place: Courtroom 2  
Judge: Honorable Claudia Wilken

1 I, W. Bruce Croft, do hereby declare as follows:

2 1. I am the Chair of the Department of Computer Science of the University of  
3 Massachusetts, in Amherst, Massachusetts. I am also the Director of the Center for Intelligent  
4 Information Retrieval. The Center for Intelligent Information Retrieval is also at the University of  
5 Massachusetts. I have personal knowledge of the facts stated herein and would testify to them  
6 under oath if called upon to do so.

7 2. This corrected declaration is made in support of MICROSOFT'S OPPOSITION  
8 TO SPACOME'S MOTION TO STRIKE INADMISSIBLE EVIDENCE OFFERED BY  
9 MICROSOFT IN OPPOSITION TO SPACOME'S MOTION FOR PARTIAL SUMMARY  
10 JUDGMENT AND IN SUPPORT OF MICROSOFT'S MOTION FOR SUMMARY  
11 JUDGMENT.

12 3. Attached hereto as Exhibit A is a true and correct copy of my curriculum vitae.  
13 This curriculum vitae was originally produced as an appendix to my expert reports which were  
14 served on August 19 and September 16, 2005.

15 4. Attached hereto as Exhibit B is a true and correct copy of the claim chart which I  
16 prepared for this matter and which was attached to my expert report on invalidity, served August  
17 19, 2005, setting forth my opinions and conclusions regarding the disclosure of Lowder, Jason &  
18 Xindong Wu, "Wide Area Selection as a Hyperdocument Search Interface," 7th Annual World  
19 Wide Web Conference, pages 658-59, Brisbane, Australia (Apr. 14-18, 1998), which demonstrates  
20 the invalidity of certain asserted claims of U.S. Patent No. 6,122,647. I still agree with the  
21 opinions and conclusions detailed in this claim chart, and incorporate them herein by reference.

22 5. Attached hereto as Exhibit C is a true and correct copy of the claim chart which I  
23 prepared for this matter and which was attached to my expert report on invalidity, served August  
24 19, 2005, setting forth my opinions and conclusions regarding the disclosure of Bill N. Schilit,  
25 Gene Golovchinsky, Morgan N. Price, "Beyond Paper: Supporting Active Reading with Free  
26 From Digital Ink Annotations," Proceedings of the SIGCHI Conference on Human factors in

27 DECLARATION OF W. BRUCE CROFT IN SUPPORT OF MICROSOFT'S OPPOSITION  
28 TO SPACOME'S MOTION TO STRIKE INADMISSIBLE EVIDENCE  
OFFERED BY MICROSOFT IN OPPOSITION TO SPACOME'S MOTION  
FOR PARTIAL SUMMARY JUDGMENT AND IN SUPPORT OF  
MICROSOFT'S MOTION FOR SUMMARY JUDGMENT [CORRECTED]

1 Computing Systems (CHI '98), Los Angeles, CA, pp. 249-56 (April 1998), which demonstrates  
2 the invalidity of certain asserted claims of U.S. Patent No. 6,122,647. I still agree with the  
3 opinions and conclusions detailed in this claim chart, and incorporate them herein by reference.

4 I declare under penalty of perjury under the laws of the United States of America that the  
5 foregoing is true and correct.

6  
7 Executed this 20<sup>th</sup> day of December, 2005, at Amherst, Massachusetts.  
8

9 Dated: December 20, 2005

FISH & RICHARDSON P.C.

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11 By: /s/ W. Bruce Croft  
12 W. Bruce Croft

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27 DECLARATION OF W. BRUCE CROFT IN SUPPORT OF MICROSOFT'S OPPOSITION  
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OFFERED BY MICROSOFT IN OPPOSITION TO SPACOME'S MOTION  
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